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PTO/SB/17 (10-03)  
Approved for use through 7/31/2006. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) **180.00**

## Complete if Known

Application Number **09/831,307**  
Filing Date **January 7, 2002**  
First Named Inventor **Stephen Kent et al.**  
Examiner Name **Jeffrey S. Parkin**  
Art Unit **1648**  
Attorney Docket No. **2297520014.00**

JUN 23 2004  
TECH CENTER 1003/2900

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

**03-1952**

Deposit Account Name

**Morrison & Foerster LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	** =	x	=
Independent Claims	** =	x	=
Multiple Dependent			=

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

## SUBMITTED BY

Name (Print/Type) **Jonathan Bockman**

Registration No. (Attorney/Agent)

**45,640**

(Complete if applicable)

Telephone **(703) 760-7769**

Signature

Date

**June 17, 2004**



PATENT  
Docket No.: 229752001400

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Stephen KENT et al.

Serial No.: 09/831,307

Filing Date: January 7, 2002

For: A VIPOX VECTOR CODING AN  
HIV ANTIGEN AND A CYTOKINE

Examiner: Jeffrey S. Parkin

Group Art Unit: 1648

JUN 23 2004

TECH CENTER 1633,7900

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97 & 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 CFR 1.97 and 1.98, Applicants submit for consideration in this application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is being submitted after receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 CFR 1.97 and 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii)

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va-69857

Serial No.: 09/831,307  
Docket No.: 229752001400

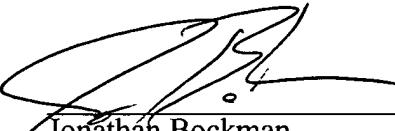
additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing 229752001400.

Respectfully submitted,

Dated: June 17, 2004

By:



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Form PTO-1449

Docket Number 229752001400

Application Number 09/831,307

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Stephen KENT et al.

Filing Date January 7, 2002

Group Art Unit 1648

Mailing Date June 17, 2004

JUN 23 2004

## U.S. PATENT DOCUMENTS

TECH CENTER 1686/2830

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	1.	Fatkenheuer, G., Thiesen, A., Rockstroh J., et al., "Virological Treatment Failure of Protease Inhibitor Therapy in an Unselected Cohort of HIV-Infected Patients", <i>Aids</i> (11):F-113-116 (1997)
	2.	Finzi, D., Hermankova, M., Pierson, T., et al., "Identification of a Reservoir for HIV-1 in Patients on Highly Active Antiretroviral Therapy", <i>Science</i> 278:1295-1300 (1997)
	3.	Ogg, G.S., Jin, X., Bonhoeffer, S., et al., "Quantitation of HIV-1 Specific Cytotoxic T Lymphocytes and Plasma Load of Viral RNA", <i>Science</i> 279:2103-2105 (1998)
	4.	Tsoukas, C.M., Raboud, J., Bernard, N.F., et al., "Active Immunization of Patients with HIV Infection: A Study of the Effect of VaxSyn, a Recombinant HIV Envelope Subunit Vaccine, on Progression of Immunodeficiency", <i>AIDS Res Hum Restroviruses</i> 14:483-490 (1998)
	5.	Eron, J.J. Jr., Ashby, M.A., Giordano, M.F., et al., "Randomised Trial of MNrgp120 HIV-1 Vaccine in Symptomless HIV-1 Infection", <i>Lancet</i> 348:1547-1551 (1996)
	6.	Veenstra, J., Williams, I.G., Colebunders, R., et al., "Immunization with Recombinant p17/p24:Ty Virus-like Particles in Human Immunodeficiency Virus-Infected Persons", <i>J Infect Dis</i> 174:862-866 (1996)
	7.	Rosenberg, E.S., Billingsley, J.M., Caliendo, A.M., et al., "Vigorous HIV-1 Specific CD4 <sup>+</sup> T Cell Responses Associated with Control of Viremia", <i>Science</i> 278:1447-1450 (1997)
	8.	Agy, M.B., Frumkin, L.R., Corey, L., et al., "Infection of Macaca nemestrina by Human Immunodeficiency Virus Type -1", <i>Science</i> 257:103-106 (1992)
	9.	Kent, S. J., Woodward, A., Zhao, A. "Human Immunodeficiency Virus Type 1 (HIV-1) Specific T Cell Responses Correlate with Control of Acute HIV-1 Infection in Macaques", <i>J Infect Dis</i> 176:1188-1197 (1997)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 229752001400

Application Number 09/831,307

Applicant

Stephen KENT et al.

Filing Date January 7, 2002

Group Art Unit 1648

Mailing Date June 17, 2004

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|-----|---|
| 10. | Kent, S.J., Zhao, A., Best, S., Chandler, J.D., Boyle, D.B., Ramshaw I.A., "Enhanced T-Cell Immunogenicity and Protective Efficacy of a Human Immunodeficiency Virus Type 1 Vaccine Regimen Consisting of Consecutive Priming with DNA and Boosting with Recombinant Fowlpox Virus", <i>J Virol</i> 72:10180-10188 (1998) |
| 11. | Cardinal, B., Kent, S.J., <i>Lab</i> , "Behavioral Effects of Simple Manipulable Environmental Enrichment on Pair-housed Juvenile Macaques", <i>Primate Newsletter</i> (1997)   |
| 12. | Andrew, M.E., Boyle, D.B., Coupar, B.E., Whitfield, P.L., Both, G.W., Bellamy, A.R., "Vaccina Virus Recombinants Expressing the SA11 Rotavirus VP7 Glycoprotein Gene Induce Serotype-Specific Neutralizing Antibodies", <i>J Virol</i> 61:1054-1060 (1987)  |
| 13. | Gray, P., Leung, D., Pennica, D., et al., "Expression of Human Immune Interferon cDNA in E. coli and Monkey Cells", <i>Nature</i> 295:503-508 (1982)  |
| 14. | Heine, H.G., Boyle, D.B., "Infectious Bursal Disease Virus Structural Protein VP 2 Expressed by a Fowlpox Virus Recombinant Confers Protection Against Disease in Chickens", <i>Arch Virol</i> 131:277-292 (1993)   |
| 15. | Boyle, D.B., Coupar, B.E., "A Dominant Selectable Marker for the Construction of Recombinant Poxviruses", <i>Gene</i> 65:123-128 (1988)   |
| 16. | de St. Groth, F., "The Evaluation of Limiting Dilution Assays", <i>J Immunol Methods</i> 49:R11-23 (1982)   |

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